



FILED & JUDGMENT ENTERED

Steven T. Salata

Jul 16 2013

Clerk, U.S. Bankruptcy Court  
Western District of North Carolina

*Laura T Beyer*

Laura T. Beyer  
United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

IN THE MATTER OF: )  
 )  
SCOTTO RESTAURANT GROUP, LLC ) CASE NO. 11-40506  
 ) CHAPTER 11  
 )  
 )  
 )  
 )  
 )  
DEBTOR. )

---

**ORDER ON CLAIMS DETERMINATION**

---

THIS CAUSE coming on to be heard and being heard in front of the Honorable Laura T. Beyer, U.S. Bankruptcy Judge for the Western District of North Carolina, upon Debtor Scotto Restaurant Group, LLC's Motion for Final Decree and Request for Claim Determination and appearing at the hearing was Bryan W. Stone, counsel for the Debtor, Ashley A. Edwards, counsel for the Unsecured Creditors Committee (the "Committee"), and Ann V. Dornblazer, counsel for the U.S. Bankruptcy Administrator; and it

APPEARING to the Court that the Debtor and the Committee have made joint efforts to determine the allowance of administrative, priority and general unsecured claims by consent of the creditors or Order of this Court, the final determination of allowed claims is attached hereto as Exhibit "A"; and it

FURTHER APPEARING to the Court that the Debtor's principal, Justin Scotto ("Scotto") maintains an allowed claim against the Debtor in the amount of fifty-two thousand, seven hundred forty-two & 09/100 dollars (\$52,742.09) ("Scotto Claim"), but that the Debtor,

the Committee, and Scotto, consent and agree that it is in the best interests of all claimants that the Scotto Claim be subordinated to all other claims pursuant to 11 USC 510(a);

THEREFORE, based on the foregoing findings, this Honorable Court hereby decrees that it is,

ORDERED that the Scotto Claim is hereby subordinated to all other claims in the Debtor's case and all other administrative, priority, and general unsecured claims are determined and allowed in the respective amounts as shown in the attachment hereto; and

IT IS SO ORDERED.

*United States Bankruptcy Court*

*This Order has been signed  
electronically and the Judge's  
signature and Court's seal appear  
at the top of the page.*

**Exhibit "A"**

SCOTTO RESTAURANT GROUP, INC. -FINAL CLAIMS DETERMINATION

ADMINISTRATIVE CLAIMS

<b>Name</b>	<b>Net Amount</b>
Ed Lloyd & Associates, PLLC	\$8,719.80
The Henderson Law Firm	\$67,791.63
Parker Poe Adams & Bernstein, LLP	\$164,061.63
The Finley Group	\$12,263.08
Stone & Witt, PA	\$19,375.00
Mecklenburg County Tax Collector	\$12,048.83
<b>Total Administrative:</b>	<b>\$284,259.96</b>

PRIORITY CLAIMS

<b>Name</b>	<b>Net Amount</b>
Gaston County Tax Collector	\$40.08
Internal Revenue Service	\$70,696.35
NC Department of Revenue	\$105,563.31
Department of Commerce Employment	\$19,537.18
City of Concord Tax Collector	\$1,642.22
NC Department of Commerce	\$9,500.01
Mecklenburg County Tax Collector	\$15,487.62
Lincoln County Tax Collector	\$109.27
<b>TOTAL PRIORITY</b>	<b>\$222,576.04</b>

GENERAL UNSECURED CLAIMS

<b>Name</b>	<b>Net Amount</b>
Internal Revenue Service	\$21,151.79
NC Department of Revenue	\$16,555.69
Guard Insurance Group	\$4,721.50
Duke Energy	\$5,725.58
Columbia Cochran Commons, LLC	\$75,694.26
Dr. William H. Carlisle	\$4,718.60
Burnell and Jeanine Kennedy	\$27,546.14
Dr. Paul Hand	\$12,921.00
Keith Holmes	\$27,637.81
Lester B. High	\$769,454.85
Kelly A. Holmes	\$55,663.21
Harvey and Ruth Olivetti	\$76,728.01
William and Maryann Holmes	\$138,770.26
Doris and Robert Kennedy	\$26,851.94
Donald and Shelley Myers	\$975,182.67
Bank of America	\$12,881.00
Bank of America Business Card	\$30,168.00
David Mitchell and Associates	\$4,158.00
Ross & Wittmier	\$20,150.00
Sawyers Produce	\$2,519.23
Templeton & Raynor	\$3,335.00
The Bain Group, LLC	\$552.00
Justin Scotto (Subordinated)	\$52,742.09
<b>TOTAL GEN UNSECURED CLAIMS</b>	<b>\$2,313,086.54</b>